

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**TONY A. HARP  
ADC # 139721**

**PLAINTIFF**

v. **5:15CV00067-BSM-JJV**

**LARRY NORRIS, Director, Arkansas  
Department of Correction; et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and partial recommended disposition submitted by United States Magistrate Judge Joe J. Volpe have been received. No objections have been filed. After careful consideration, it is concluded that the proposed findings and partial recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's failure to train allegations against defendants Larry Manning and James Gibson are dismissed without prejudice for failing to state a claim upon which relief may be granted.
2. Defendants Wendy Kelley, Larry Norris, and Derwin Metcalf are dismissed without prejudice due to plaintiff's failure to state a claim upon which relief may be granted against them.
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order would not be taken in good faith.

IT SO ORDERED this 5th day of May 2015.

  
Brian S. Miller  
UNITED STATES DISTRICT JUDGE